IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Civil Application No.1143 of 2006
In
Second Appeal No.174 of 1991

Parshuram Raghunath Khadapkar
since deceased by his legal heirs
and representatives:
a. Shobha Parshuram Khadapkar & ors. Applicants

Vs.

Dhondadeo Rajaram Keluskar & ors. Respondents

Mr.V.S.Gokhale for applicants.

CORAM: B.H.MARLAPALLE,J.

August 02, 2006.

P.C.

. Heard Mr.Gokhale. Perused the grounds set out in this application for recall of the order passed by this Court on 15/12/2005 in Second Appeal No.174 of 1991.

. The Second Appeal was finally decided and while allowing the Second Appeal the judgment and order passed by the lower Appellate Court in Regular Civil Appeal No.5 of 1984 was quashed and set aside. The appeal was restored to the file and it was directed that it shall be heard and decided on merits as expeditiously as possible and in any case within a period of three months from the receipt of the writ.

The record shows that the writ of this Court was issued on 12/1/2006 and thus the period set out for deciding the appeal is already over. The office note also indicates that this application has been filed beyond time by 101 days and no application for delay condonation has been made separately.

. In any case the grounds for review made out in this review petition do not make out a case to recall the order passed on 15/12/2005.

. The application is hereby rejected summarily.

(B.H.MARLAPALLE,J.)